




Basic information	
2025/0132(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Awaiting Parliament's position in 1st reading
Application of the 'safe third country' concept Amending Regulation 2024/1348 2016/0224A(COD) Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	

Key players			
European Parliament	Committee responsible		Rapporteur
	<div>LIBE</div> Civil Liberties, Justice and Home Affairs		DÜPONT Lena (EPP)
			Appointed 22/09/2025
			Shadow rapporteur STRADA Cecilia (S&D) LEGGERI Fabrice (P/E) KANKO Assita (ECR) KELLER Fabienne (Renew) MARQUARDT Erik (Greens /EFA) SALIS Ilaria (The Left) ZAJĄCZKOWSKA-HERNIK Ewa (ESN)
Council of the European Union			
European Commission	Commission DG		Commissioner
	Migration and Home Affairs		BRUNNER Magnus

Key events			
Date	Event	Reference	Summary
20/05/2025	Legislative proposal published	COM(2025)0259 	Summary
10/07/2025	Committee referral announced in Parliament, 1st reading		
03/12/2025	Vote in committee, 1st reading		

03/12/2025	Committee decision to open interinstitutional negotiations with report adopted in committee		
09/12/2025	Committee report tabled for plenary, 1st reading	A10-0255/2025	
15/12/2025	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
17/12/2025	Results of vote in Parliament		
17/12/2025	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71 - vote)		

Technical information	
Procedure reference	2025/0132(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2024/1348 2016/0224A(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 078-p2
Stage reached in procedure	Awaiting Parliament's position in 1st reading
Committee dossier	LIBE/10/02924

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE778.391	17/10/2025	
Amendments tabled in committee		PE779.510	06/11/2025	
Committee report tabled for plenary, 1st reading/single reading		A10-0255/2025	09/12/2025	
European Commission				
Document type	Reference		Date	Summary
Legislative proposal	COM(2025)0259 		20/05/2025	Summary
Document attached to the procedure	SWD(2025)0600 		20/05/2025	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
KELLER Fabienne	Rapporteur	LIBE	28/10/2025	Directeur général de l'OFPPA
KELLER Fabienne	Rapporteur	LIBE	21/10/2025	Chef de cabinet de du Commissaire aux affaires intérieures et migrations
KELLER Fabienne	Rapporteur	LIBE	15/10/2025	Directeur général de l'OFPPA, et la cheffe de la division des affaires juridiques européennes et internationales de l'OFPPA
KELLER Fabienne	Rapporteur	LIBE	02/10/2025	Directeur du Centre de connaissances sur l'asile sur les textes migratoires
STRADA Cecilia	Shadow rapporteur	LIBE	03/09/2025	European Council on Refugees and Exiles
STRADA Cecilia	Shadow rapporteur	LIBE	23/07/2025	European Council on Refugees and Exiles

Application of the 'safe third country' concept

2025/0132(COD) - 20/05/2025 - Legislative proposal

PURPOSE: to facilitate the application of the safe third country concept with a view to accelerating asylum processes.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the safe third country concept (STC) and asylum procedure are governed by EU law under the Asylum Procedure Regulation (EU) 2024/1348 which established a common procedure for granting and withdrawing international protection in the Union. The Commission has reviewed the various elements of the concept of safe third country which led to the conclusion that there was scope for **improving the applicability of the safe third country concept** while preserving the legal safeguards for applicants and ensuring the respect of fundamental rights.

Under EU law, third countries can be considered safe when they fulfil a number of conditions, such as protection against refoulement, the absence of real risk of serious harm and of threats to life and liberty on account of race, religion, nationality, membership of a social group or political opinion, as well as the possibility to request and receive effective protection.

Without EU-level action, Member States would continue to apply the STC concept in a **fragmented manner**, leading to inconsistencies in legal interpretation and procedural safeguards. Diverging national approaches would create legal uncertainty, increase litigation risks, and undermine the uniform application of asylum rules across the Union. A lack of coordinated action would also hinder fair burden-sharing among Member States and weaken the EU's ability to engage effectively with third countries on migration matters. By acting at the EU level, this proposal ensures **harmonisation, legal certainty, and procedural safeguards**, while providing Member States with greater flexibility to implement the STC concept in a legally sound and operationally effective manner.

CONTENT: this Commission proposal aims to make a **targeted amendment to the Asylum Procedure Regulation 2024/1348** aimed at making the application of the STC concept more flexible for Member States. The proposal maintains the optional nature of the application of the STC concept. The new procedures should be governed by the same rules, regardless of the Member State applying them, to ensure equity in the treatment of the applicants, third-country nationals or stateless persons subject to them, as well as clarity and legal certainty for the individual.

The objective of lifting some of the obstacles to the effective application of the STC concept calls for an EU framework, which is necessary to ensure a consistent and coherent application of the STC concept across Member States.

More specifically, the proposal makes the following changes to the conditions under which the concept can be applied:

- a **connection** between the applicant and the safe third country will no longer be mandatory. Member States may choose to apply the safe third country concept where there is a connection as defined under national law;
- **transit** through a safe third country before reaching the EU can now also be considered as a sufficient link to apply the safe third country concept;
- when there is no connection or transit, the concept can be applied if there is an **agreement or arrangement with a safe third country**. Such agreement or arrangement will ensure that there is an examination of the request for effective protection in the safe third country, so that applicants can receive protection if justified. This option will not apply to **unaccompanied minors**;
- to reduce procedural delays and prevent abuse, the Commission proposes that **appeals** against inadmissibility decisions based on the safe third country concept will **no longer have an automatic suspensive effect**.

In addition, the proposal requires Member States to inform the Commission and other Member States before concluding agreements or arrangements with safe third countries. This will allow the Commission to monitor that these agreements or arrangements fulfil the conditions set out in EU law.